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## OBJECTION TO THE HAWAIIAN PROHIBITION RESOLUTION

Heyburn's Criticism of Provision That the Voters  
Should "Instruct" the Legislators  
to Pass a Law.

The following from the Congressional Record shows the opposition by Senator Heyburn to the Hawaii special election joint resolution, on the ground that it introduced the principle of the initiative and referendum. As a result of Heyburn's attitude, when the joint resolution finally passed the senate it was so changed that its mandatory terms were eliminated, the language being changed so that the popular verdict in the special election should be merely advisory:

Mr. Heyburn. Mr. President, this is the first appearance of an initiative and referendum joint resolution in this body or either house of congress. I think we are starting out upon an entirely new trail in legislation by congress authorizing the holding of an election to instruct a legislature, leaving no option at all to that body in legislating upon this subject. It strikes me that a question of this kind, or the initiation of this class of legislation, should receive a very thorough consideration if we are to authorize in all jurisdictions over which we exercise direct control the people to hold elections and instruct in the performance of their duty the legislature that we have created and conferred powers upon. It is a pretty big question, and it ought not to be considered under Rule VIII. I ask that the joint resolution go over.

Mr. Clapp. Mr. President—

Mr. Heyburn. But I shall not, of course, if any senator desires to make any suggestion, ask that the joint resolution now go over.

Mr. Clapp. The only suggestion I wish to make is that this joint resolution came in the form of a proposition for congress to legislate upon this subject directly. After much consideration it was finally decided to refer the matter to the people of those islands. I do not see that there is any great innovation about it.

Mr. Heyburn. Mr. President, in reply I will say that it goes farther than that. I should favor a law that would allow those people to vote upon it, but I never should favor a law that would allow those people at such an election to take from the legislative body that we have created the jurisdiction and the right to perform the duties of legislation according to their conscience, intelligence, and ability.

Mr. Curtis. Mr. President, I should like to say that there was a hearing before the committee, and after very careful consideration this joint resolution was agreed upon by the representatives of the temperance people and also by the Delegate from Hawaii. Since that time its enactment has been requested by the Governor and other officials of the Territory. The question is simply one for them to settle by a majority vote as to whether or not they will prohibit the manufacture and sale of intoxicating liquor except for the purposes mentioned in the joint resolution.

Mr. Heyburn. Mr. President, I give due credit to the report of the committee. I have no doubt that they have investigated the matter thoroughly, and I am not at all inclined to criticize their conclusion; but the matter has now passed from the jurisdiction of the committee to that of the senate; and it is out of no lack of respect for the committee or for its conclusion that I make these suggestions, which are entirely appropriate in this body when we are considering the action of any committee.

I would not at all object to this measure if it authorized the legislature to submit this question to a vote of the people; my sympathies are not against the purposes sought to be obtained by this legislation, but they are all against the enactment or recognition of the proposed initiative and referendum emanating from congress to the people. We have too much of

that outside of congress. Let us not have it here, because it is not in conformity with the plan of our government or with its organic Constitution. We should not be the ones to send it out with our approval. Let this joint resolution provide that the legislature shall submit this question to the people, but not that the people shall instruct the legislature. That is no part of the function of the people either under the laws organizing the government of Hawaii or under any other principle of our law.

Now, I wish merely to call the senators' attention to this language, found on page 1, in lines 14 and 15, of the joint resolution. The question to be submitted is:

Shall the legislature to be elected in November, 1910, be instructed to pass, at its first regular session, a law—

Instructed to pass a law! A legislative body that takes an oath to act on its own conscience and judgment shall be instructed to waive it at the instance of an outside body!

Mr. Curtis. That would simply be an instruction.

Mr. Heyburn. It says so.

Mr. Curtis. The senator who prepared the joint resolution is not present, and I hope my friend will not insist that it go over under Rule IX.

Mr. Heyburn. I ask that the joint resolution go over.

Mr. Clapp. Let it go over without going under Rule IX.

The Presiding Officer. The joint resolution goes over without prejudice.

### HONOLULU IRON WORKS' MILL FOR MINDORO

MANILA, February 22.—C. Dyer, who arrived here Sunday by the liner Siberia, represents the Honolulu Iron Works, and came here for the purpose of developing a large sugar plantation on the San Jose estate, Mindoro, recently purchased from the Philippine government. The Honolulu Iron Works manufacture sugar mills and other plantation machinery and equipment and estimates for a large mill for the Poono company. He will be in Manila for several days and will then go to Mindoro for the purpose of inspecting the property.

Mr. Dyer's company has made a large number of high class sugar mills and its machinery is very highly regarded among sugar men. It manufactured a number of the mills installed in Formosa by the Japanese and has a large overseas trade besides its extensive business with the plantations of Hawaii.

### WOMEN SHOULD VOTE.

The women of Hawaii are an emphatic unit on the question of being allowed to vote when the advisability of prohibition for the Hawaiian Islands comes up in a plebiscite at the instance of the federal government. The women declare they are not seeking suffrage, but maintain that when the matter of prohibition is before the public they have as great an interest in the question as have the men and should have equal say.

The men of the Territory are divided upon the question. Many favor government supervision of the liquor traffic, while others oppose government regulation as subversive of their rights under the constitution.

The women are represented by 24 women's clubs throughout the islands, representing social, civic, athletic and cultural organizations, and these in turn are represented by a central committee. This committee has called Washington asking the privilege of being allowed to vote on the question.—Los Angeles Voice.

## HAWAII IN GRASS HOUSE SETTING FOR MUSEUM

HAWAIIAN SCENERY IN  
MINIATURE.



A GOVERNMENT MUSEUM ARTIST CONSTRUCTING IN DWARF PROPORTIONS THE GRASS HOUSES OF OLD HAWAII.

WASHINGTON, March 8.—Scores of mechanics and artists are busily engaged in preparing for the opening of the new government museum which is undergoing finishing touches. The artists have completed a number of models depicting Hawaiian conditions through-

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